

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TINA L. SMITH,)
)
)
Plaintiff,)
)
)
vs.) Civil Action No. 10-911
)
)
MICHAEL ASTRUE,)
)
)
Defendant)

O R D E R

AND NOW, this 26th day of January 2011, after the plaintiff, Tina L. Smita, filed an action in the above-captioned case seeking review of the Social Security Commissioner's final determination of her claim for a period of disability or for disability insurance benefits and supplemental security income benefits, and after cross motions for summary judgment were submitted by the parties, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties fourteen days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 16), which is adopted as the Opinion of this Court,

IT IS ORDERED that the cross motions for summary

judgment (Docket Nos. 9 and 12) be denied without prejudice and that the matter be remanded for further evaluation and consideration of plaintiff's possible mental disability.

Nora Farrey Patten

United States District Judge